

UNITED STATES DISTRICT COURT	:	
SOUTHERN DISTRICT OF NEW YORK	:	
	:	
<u>ASPECTS, INC.,</u>	:	
	:	
Plaintiff,	:	<u>C.A. No. 18-CV-900-JGK</u>
v.	:	
	:	
<u>LYCIUM, LLC and</u>	:	
<u>HUANGJUN HE and BING QIAN LIU</u>	:	
	:	
Defendants	:	

**INDIVIDUAL DEFENDANTS HUANGJUN HE AND BING QIAN LIU's
CROSS-MOTION TO STAY THE COUNTERCLAIMS**

In response to Plaintiff Aspects' Motion To Dismiss under Federal Rule of Civil Procedure 12(b)(6), the individual Defendants request this Honorable Court to:

(1) deny the Plaintiff's Motion and

(2) stay Defendant's Counterclaims until the end of the discovery process of

Plaintiff's Claim under the N.Y. Real Property Law § 231,

on the ground that Plaintiff failed to submit any Declaration of Facts in supporting its Motion to Dismiss, and Defendants' Counterclaims may be dependent on the termination of Plaintiff's claim.

In support of this Opposition, I submit the following documents:

(1) a memorandum of law,

(2) Defendant Huangjun He's Affidavit (EXHIBIT 1);

(3) a copy of March 28, 2017 letter of the US Custom and Border Protection
(EXHIBIT 2).

(4) a copy of online-Custom Record (EXHIBIT 3).

Respectfully submitted

Defendant Huangjun He and Bing Qian Liu
By their attorney

/s/ Jie Tan
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Date June 15, 2018

Certificate of Service

I, Jie Tan, Esq. counsel for Defendant Huangjun He and Bing Qian Liu certify that on this 15th day of June 2018, I served a true copy of this document on Plaintiff's counsels of record Craig M. Scott and Ryan M. Gainor via the ECF system

s/jietan
Jie Tan, esq